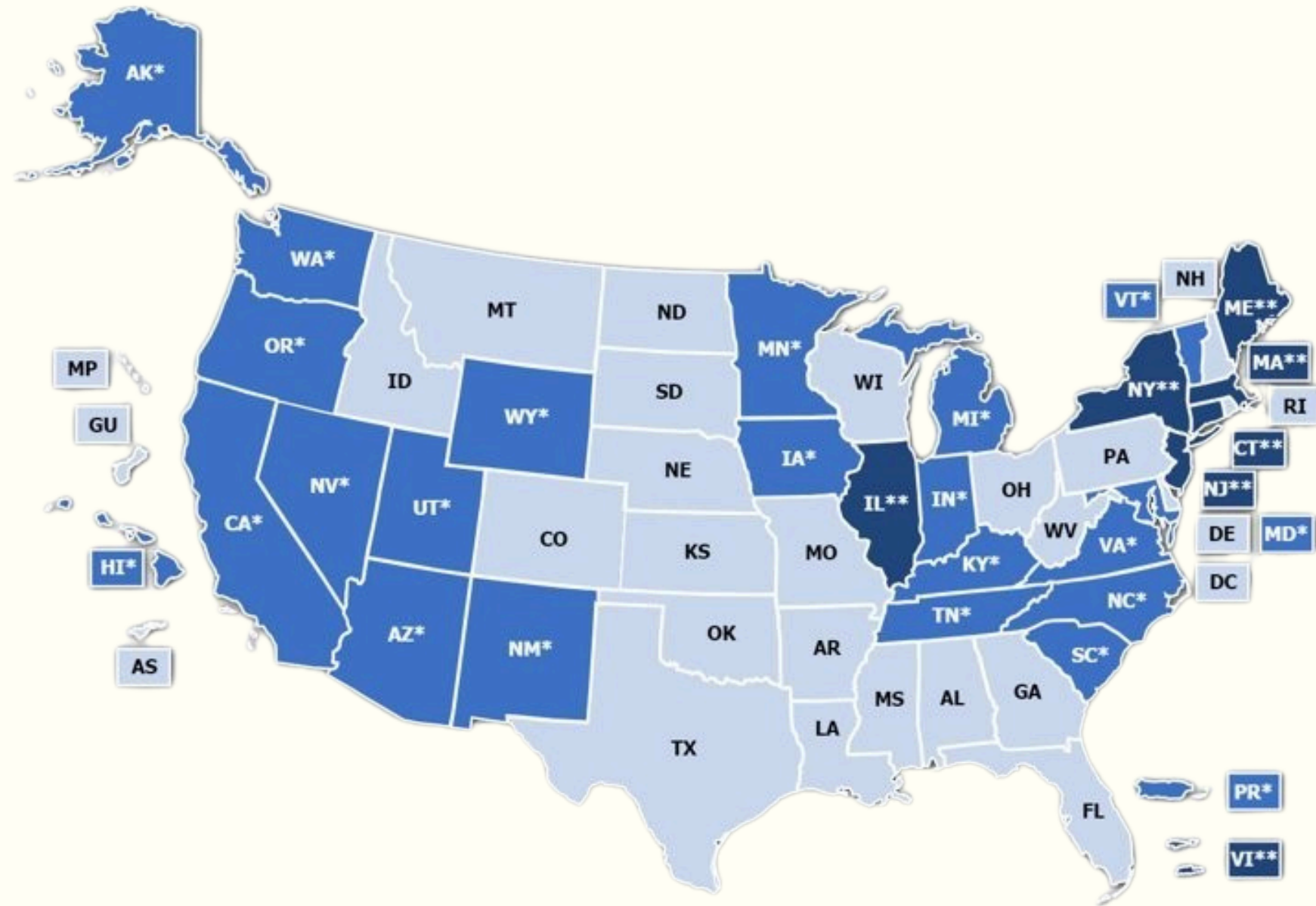





Current State Strategies and Warnings

OSHA State Plans



-  No OSHA State Plan
-  OSHA State Plan covers all public sector and most private sector employees
-  OSHA State Plan covers only public sector employees

Key Points

- There are 22 State Plans covering **both** private sector and state and local government workers and 7 State Plans covering only state and local government workers.
- State Plans must be at least as effective as Federal OSHA
- Must cover State and Local government workers
- State plans can pass their own unique standards, such as heat and workplace violence

Gaps impacting AFSCME members

These include, but are not limited to:

- Lack of OSHA coverage
- Heat
- Workplace Violence
- Infectious disease
- Weak OSHA standards
- Ergonomics

Highlight Legislation

- Workers' Rights and Worker Safety Act - **Illinois**
- Davis Martinez Public Employee Safety and Health Act - **Maryland**
- MOSH Heat Standard - **Maryland**
- Workplace Violence in Healthcare Law - **Oregon**
- The Jake Schwab Worker Safety Bill - **Pennsylvania**
- Trauma Therapy for 911 Dispatchers - **Arizona**

Illinois

Workers' Rights and Worker Safety Act (S.B. 1976)

- Bars state agencies from changing worker safety rules to make them less stringent than federal law as it existed on Jan. 19, 2025.
- Directs the Illinois Department of Labor to replace any repealed federal occupational safety standard with a similar state standard.

Maryland

Davis Martinez Public Employee Safety and Health Act

- Public Employees Safety and Health Unit under MOSH
- Monetary penalties for violations
- Serving citations and making them available
- Annual report
- Workplace violence standard (On or before Oct 2026)

Maryland

Maryland Heat Standard

- Maryland's heat stress standard mandates that all employers protect employees from heat hazards when the heat index reaches or exceeds 80 degrees F.
- **Key Requirements:**
 - Heat-Related Illness Prevention and Management Plan
 - Acclimatization
 - Shade
 - Access to drinking water
 - High Heat Procedures
 - Emergency Response
 - Training

Oregon

Workplace Violence in Healthcare:

- Includes definition of workplace violence in state law
- Employers are required to provide annual workplace violence prevention training to employees and any contracted security personnel
- Employees have the right to only have their first name present on badges in hospitals, home health agencies and home hospice programs
- “Flagging” system for potentially violent individuals
- Bullet-resistant barriers or enclosures at intake windows
- Home health care entities must collect information at intake to identify and assess health and safety related risks

Pennsylvania & Arizona

The Jake Schwab Worker Safety Bill - Pennsylvania

- Would extend OSHA protections to state and municipal employees
- Would establish the Pennsylvania Occupational Safety and Health Review Board

Trauma Therapy for 911 Dispatchers - Arizona

- HB 2717 - Signed into law in 2023
- Adds 911 dispatchers to the list of public safety employees who qualify for trauma therapy that's funded by their employer

Warning: Kentucky Law

H.B. 398

- Prohibits passing and enforcement of worker safety laws that exceed federal standards
- Courts can impose financial penalties on the state for enforcing safety laws
- Limits ability for third parties to request inspections on behalf of workers
- Reduces timeframe for filing retaliation complaints and issuing citations
- Reduces look back period for repeat violations from 5 years to 3 years

Warning: Kentucky Law

S.B. 84

- Prohibits courts from deferring to a state agency's interpretation of any statute, administrative regulation, or order.
- Aligns Kentucky with U.S. Supreme Court decision, *Loper Bright Enterprises v. Raimondo*
- Chevron Deference



What are your legislative priorities for the current or upcoming legislative session?

- What kind of legislation is most relevant to your members? Is there a specific issue you'd like addressed?
- What legislation are you currently working on?

AFSCME Resources

AFSCME International Resources

Research & Collective Bargaining

- Model contract language on a wide range of topics including **workplace violence, heat, General Duty**, and more
- Contact: research@afscme.org

Political Action

- Model legislation on health and safety
- Contact: MMaloney@afscme.org

Health and Safety Training Catalog



AFSCME

**AFSCME
HEALTH AND
SAFETY**

ABOUT US

TRAINING AND WORKSITE SUPPORT

- Develop and provide safety and health training and resources (e.g. fact sheets, model safety policies, etc)
- Perform worksite inspections to determine workplace hazards and make recommendations for abatement

BARGAINING

- Advocate for strong safety and health language in bargaining contracts, with model language on our website

POLICY AND ADVOCACY

- Work with labor coalitions to advocate for stronger protections from workplace hazards
- Review and advocate to strengthen health and safety regulations and new legislation at the federal and state level

TRAININGS WE OFFER (FULL CATALOG ON PAGE 2):

- ✔ OSHA 10 AND 30-HOUR
- ✔ BLOODBORNE PATHOGENS
- ✔ HAZARD COMMUNICATION
- ✔ BULLYING PREVENTION AND AWARENESS
- ✔ SAFETY AND INFECTION CONTROL
- ✔ FIRST AID/CPR/AED
- ✔ CUSTOM SAFETY TRAININGS TO FIT YOUR NEEDS
- ✔ MORE ON OUR WEBSITE



CONTACT INFORMATION

✉ RESEARCH@AFSCME.ORG
 🌐 [HTTPS://AFSCMESTAFF.ORG/
HEALTH-SAFETY-HOME/](https://afscmestaff.org/health-safety-home/)

TRAINING CATALOG

Protection from Infectious Disease
Active Violence Immediate Response Training (AVIRT)*
Bloodborne Pathogens
Organizing Around Health and Safety Issues
Solutions to Health and Safety Issues & Action Plans
Confined Space Entry
Electrical Safety
Lockout Tagout (LOTO)
Fall Protection
First Aid/CPR/AED*
HAZCOM, Hazard Communication and The Globally Harmonized System
Health and Safety Fundamentals
Healthcare Ergonomics and Safe Patient Lifting (Awareness Level)
Job Hazard Analysis
Joint Labor Management Safety Committees
Opioid Awareness/Narcan Deployment
OSHA 10Hr General or Construction Industry*
OSHA 30Hr General or Construction Industry*
Personal Protective Equipment
Preventing Bullying
Respiratory Protection
Root Cause Analysis of Accidents and Incidents
Workplace Violence Prevention
Worksite Safety Analysis
Writing OSHA Complaints – Includes Documentation Skills

CLASS CONTENT AND DURATION CAN BE CUSTOMIZED BASED ON SPECIFIC NEEDS

CONTACT INFORMATION

✉ RESEARCH@AFSCME.ORG

* COURSE HAS AN ADMINISTRATIVE FEE PER PARTICIPANT DUE TO 3RD PARTY CERTIFICATION

Closing